

Appl. No. 09/939,155
Amdt. Dated August 17, 2005
Reply to Office Action of June 29, 2005

Docket No. IRI05446
Customer No.. 23330

REMARKS

Claims 1-5 and 16-20 are cancelled. Claims 6 and 11 have been amended. Claims 6-15 remain in the application. The actions taken are in the interest of expediting prosecution and with no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled in view of the prior art. Moreover, the amendment or cancellation of claims herein is without prejudice to pursuing claims of different scope by way of continuing Application. Reconsideration of this application is respectfully requested.

U.S.C. 102(e)

Claims 1-12 and 14-16 are rejected under U.S.C. §102(b) as being anticipated Rosenberg et al. "SIP Extensions for Presence," Internet Engineering Task Force, June 2000 (hereinafter Rosenberg). Applicants respectfully traverse the rejection. Applicant's independent claims 6 and 11 call for, among other things, transmitting, by the first user to a presence proxy, a single subscribe message for presence information of a plurality of second users. Independent claim 6 includes the further limitation of transmitting by the presence proxy a single response message including the presence information of each of the plurality of second users.

Rosenberg teaches that a single subscribe request must be sent for learn about the presence of each individual buddy. Further, the requesting entity receives a single notification or response from each individual buddy. In other words, the SIP presence model taught by Rosenberg requires a User agent wishing to learn about presence information for other entities (i.e. the watcher User Agent) to generate and send a SUBSCRIBE request for each individual entity/user (i.e. each buddy). In addition, the User Agent will also receive a separate NOTIFY message form the Presence Agent(s) informing it of the presence status of the corresponding "buddy." It also requires the watcher to perform this procedure again each time the watcher entity disconnects and reconnects to the SIP network.

This is contrasted with the recited limitations of Applicant's claims (transmitting, by the first user to a presence proxy, a single subscribe message for presence information of a plurality of second users). The Examiner alleges that this limitation is taught by Rosenberg on page 31 and in FIG. 2. Applicant's respectfully disagree. Rosenberg teaches that a subscription may be

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distributed by a proxy to another network so that more than one subscriber may take advantage of the subscription. In Rosenberg, each subscriber (subscriber A and B in Figure 31), must each generate a subscribe message to request presence of a single entity in domain Y (subscribe 1 and subscribe 2) to outbound proxy, and each get a notification back. Therefore, it is clear that Rosenberg is not teaching the recited limitations, as a single subscribe message from a single user is NOT requesting presence information on a plurality of second users. In fact, Rosenberg is teaching the reverse, where a plurality of first users is requesting presence information on a single second user.

Rosenberg also does not teach or suggest the additional recited limitation of claim 6 "transmitting by the presence proxy a single response message including the presence information of each of the plurality of second users." Examiner alleges that this is taught on page 12, 2nd to last paragraph of Rosenberg. Applicants respectfully disagree. Here Rosenberg is teaching that two separate clients can register for the same presentity (presence). In this case the SUBSCRIBE request is forked to each client as each client has requested that it have the same presence status. Rosenberg gives the example where a SINGLE principal has a client at work and a client at home and requests that they have the same presence. The single principal is a single user regardless of how many different work stations he spawns. Further, since each client spawned by the SINGLE principal has requested that they have the SAME presence, there are not actually two different users as there is only one principal and one presence. This differs from Applicant's claimed limitation of "transmitting by the presence proxy a single response message including the presence information of each of the plurality of second users."

It has been clearly demonstrated that Rosenberg does not teach or suggest the claimed limitations of independent claims 6 and 11, or of the dependent claims thereof. It is respectfully requested that the rejection be withdrawn and the claims proceed to allowance. Claims 1-5 and 16 have been cancelled, rendering their rejection moot.

U.S.C. 103

Claim 13 is rejected under U.S.C. §103 as being unpatentable over Rosenberg in view of Rosenberg et al., "A data format for presence using XML," Internet Engineering Task Force, June 2000 (hereinafter Rosenberg II). Claims 17-20 are rejected under U.S.C. §103 as being

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unpatentable over Rosenberg in view of Jiang et al. (U.S. Patent Publication No. 2003/0059004).

Applicants respectfully traverse the rejection of claim 13. Claims 17-20 have been cancelled rendering their rejection moot. Claim 13 depends from independent claim 11. The additional reference of Rosenberg II does not overcome the deficiencies of Rosenberg discussed above. Therefore, claim 13 is allowable for same reasons as claim 11 discussed above.

Prior Art

The references cited but not relied upon are believed not to anticipate or make obvious Applicants' invention.

Summary

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

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Please charge any fees associated herewith, including extension of time fees, to 502117,

Motorola, Inc.

Respectfully submitted,

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